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Applic. No. 09/773,581
Amdt. dated December 23, 2003
Reply to Office Action of Oct. 3, 2003

- REMARKS/ARGUMENTS -

Claims 1, 3 to 8, 10 to 13 and 15 to 18 remain in the application.

Claims 1, 3, 7, 8, 10 to 13 and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Wing, in view of Camilleri.

The Examiner has stated that Camilleri's rail engaging member 3 is removably secured to the spaced-apart holes on the upright panel member 2. However, it is respectfully submitted that Camilleri's rail engaging member 3 cannot be secured in a variety of positions along the rear edge of the panel 2, as recited independent Claims 1 and 15. Camilleri's rail engaging member 3 can only be installed in the cut-out section 21 otherwise, the slot 31 in the bracket 3 will not be physically aligned with the holes 24. Accordingly, to change the vertical position of the panel 2 on the rail 1, one has to machine another cut-out section at a desired location along the rear edge of the panel 2 so as to be able to secure the bracket 3 to holes 24 other than the ones located at the level of the cut-out section 21, as shown in Figure 1.

Camilleri's bracket is thus not removably securable at selected vertically spaced-apart fixed locations along a major portion of the length of the panel, as recited in independent Claims 1 and 15. As clearly stated at column 3, lines 54 to 58, Camilleri's bracket can only be installed in the cut-out section 21 and thus not at various locations therealong.

Likewise, Wing's rail engaging member 19 can only be mounted in a single position relative to the upright 1, that is at the top end of the upright via bolt 21. Therefore, Wing does not cure the deficiencies of Camilleri.

Applicant's present invention is clearly advantageous over the cited references, it permits to readily adjust the height of the overall storage unit relative to the wall mounted rail. That is because the rail engaging member is securable at various locations along the rear edge of the upright panels.

Support for the modifications made to independent Claims 1 and 15 can be found on page 4, third paragraph. Independent Claims 1 and 15 are clearly patentable as none

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of the cited references teaches or suggests a rail engaging member that is securable at various vertically spaced apart locations along a substantial portion of the length of the upright panels.

Independent Claim 15 has been further amended to correct the typo noted by the Examiner.

The dependent claims are patentable for at least the reasons outlined above with respect to independent Claims 1 and 15.

The indication that Claims 16 to 18 are allowed is greatly appreciated.

It is submitted, therefore, that all the claims are in condition for allowance.

Re-consideration of the Examiner's rejection is respectfully requested.

In the event that there are any questions concerning this Amendment or Application in general, the Examiner is respectfully urged to telephone the undersigned so that prosecution of this application may be expedited, thereby avoiding unnecessary expense to the Applicant.

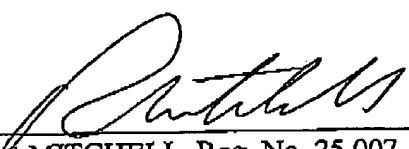
Respectfully submitted,

Raymond ROTHIER

By:

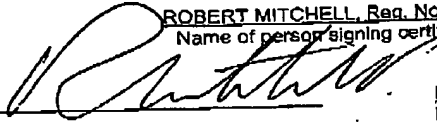
December 23, 2003

Date


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I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
<u>ROBERT MITCHELL, Reg. No. 25,007</u> Name of person signing certification	
 Signature	<u>December 23, 2003</u> Date